

REMARKS

In light of the above amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Amended claims 1-29 are in this application.

At paragraph 1 of the outstanding Final Office Action of December 15, 2003, the Examiner rejected claims 1-29 under 35 U.S.C. §102(e) as being anticipated by Alexander (U.S. Patent Application 2002/0030683). Applicants respectfully traverse the rejection.

Amended independent claim 1, recites in part, "An oscilloscope apparatus, comprising...a user interface for...displaying only the most common items of said toolbar that apply to the selected data signal determined by the characteristics of the selected data signal, the selected data signal being defined as the data source for the items of the toolbar." (Underlining and Bold added for emphasis.)

It is respectfully submitted that the reference relied upon by the Examiner does not teach the above-recited feature of amended independent claim 1.